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NEUROPACE INC

No. 6628 P. 7/25

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>U.S. Patent Application Serial No. 09/977,052</p> <p>For: PATIENT-SPECIFIC TEMPLATE DEVELOPMENT FOR NEUROLOGICAL EVENT DETECTION</p> <p>By: Benjamin D. Pless et al.</p> <p>Filed: October 12, 2001</p> <p>Attorney Docket No. N02-01</p>	<p>Examiner: C.H. Layno</p> <p>Art Unit: 3762</p>
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AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants respectfully submit this Amendment in response to the Office Action mailed on August 12, 2003, rejecting pending claims 1, 3, 4, 6, 57, and 64-89, and objecting to claims 2, 5, 7-56, and 58-63. A three-month extension of time, if necessary, is respectfully requested. A Petition to Revoke is being submitted herewith.

<p>I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office via facsimile on this <u>23rd</u> day of <u>April</u>, 2004.</p>	
<p><u>Office for Petition</u> Technology Center</p>	<p><u>703-308-6916</u> Facsimile Number</p>
<p><u>[Signature]</u> Signature</p>	<p><u>Charles A. Wixon</u> Name</p>

INTRODUCTORY COMMENTS

The Examiner has stated that the declaration is defective.

Claims 64-89 stand rejected under 35 U.S.C. § 112, second paragraph, as indefinite.

Claims 1, 3, 4, 6, and 57 stand rejected as anticipated by Dorfmeister et al., U.S. Patent No. 5,995,868.

Claims 2, 5, 7-56, and 58-63 would be allowable if rewritten in independent form.

This first Amendment submitted by Applicants cancels claim 1 and amends claims 2-6, 11, 18, 31, 47, 50-51, 53, 57-59, and 62-64. Claims 2-89 remain pending.

Applicants request a three-month extension of time in which to file this paper; authorization to charge the NeuroPace deposit account the required fee for the extension is enclosed.

Applicants submit that the present Amendment and accompanying papers place this Application in allowable condition; accordingly, Applicants respectfully request reconsideration of pending claims 2-89 with a view toward allowance.